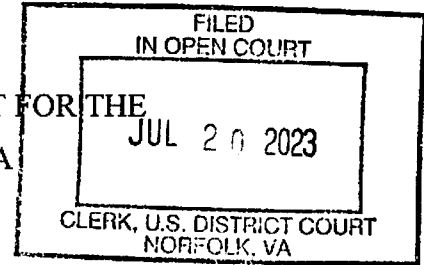


IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA
Norfolk Division



UNITED STATES OF AMERICA

v.

Criminal No. 2:22CR147-03

DAVIAN MARCELIS JENKINS,
"DJ,"

Defendant.

STATEMENT OF FACTS

The United States and the defendant, DAVIAN MARCELIS JENKINS, a/k/a "DJ," ("JENKINS") stipulate that the allegations in Counts One, Three, and Four of the Superseding Indictment and the following facts are true and correct, and that had the matter gone to trial, the United States would have proven the following facts beyond a reasonable doubt with admissible and competent evidence:

1. Beginning in or about the summer of 2021 and continuing thereafter up to and including July 27 2022, in the Eastern District of Virginia and elsewhere within the jurisdiction of this Court, JENKINS knowingly and intentionally participated in a marijuana and psilocybin trafficking conspiracy with others, including co-defendants CORTNEY ALLEN CONLEY, a/k/a "KO," ("C. CONLEY"), RASHAUN MARCQUEZ JOHNSON, a/k/a "Shaun" ("JOHNSON"), LATEYA CONLEY, a/k/a "Teya" ("L. CONLEY"), JASMINE DENEEN CUFFEE, a/k/a "Jas," ("CUFFEE"), KASHEIM BRYANT ("BRYANT"), JAVAID AKHTAR REED, a/k/a "Vay" ("REED"), KYRON SPELLER, a/k/a "Spazz" ("SPELLER"), TERRANCE SPENCER ALEXANDER, a/k/a "T-Money" ("ALEXANDER"), COREY MELIC

DMJ
MMW
PAD

BLACKWELL, a/k/a “Blick” (“BLACKWELL”), and AARON HUNTER, a/k/a “ASAP” (“HUNTER”) (collectively, the Conley Drug Trafficking Organization (“C. Conley DTO”).

2. Psilocybin is a constituent of “Magic mushrooms” and was sold by the co-conspirators as “Magic mushrooms” and edibles.

3. The co-conspirators received quantities of marijuana and psilocybin from a source of supply in California and other states, at times via the United States Postal Service (“USPS”). JENKINS and his co-conspirators conspired to distribute and possess with the intent to distribute 100 kilograms or more of a mixture and substance containing a detectable amount of marijuana and a mixture and substance containing a detectable amount of psilocybin.

4. It was part of the conspiracy that the defendants and co-conspirators would and did play different roles in the conspiracy, taking upon themselves different tasks and participating in the affairs of the conspiracy through various criminal acts. Some of the roles which the defendants and co-conspirators assumed and carried out included, among others, organizer, manager, distributor, packager, advertiser, supplier, and collector. Specifically, C. CONLEY acted as a leader and organizer of the conspiracy. JOHNSON acted as security and doorman at “popup” dispensary locations, which would change and “popup” at new locations during the course of the conspiracy. As a doorman, JOHNSON controlled drug customers’ access and entry to the “popup” dispensaries. JENKINS acted as security and engaged in drug sales at “popup” locations. L. CONLEY handled the finances and proceeds from the illegal sales of controlled substances on behalf of the conspiracy. L. CONLEY further assisted C. CONLEY when he was a fugitive from law enforcement after the May 13, 2022 double homicide at the Wintercress Way “popup” location. CUFFEE sought out and rented apartments that served as “popup” locations for the conspiracy and received packages sent via USPS containing controlled substances on behalf of C.

CONLEY. CUFFEE further assisted C. CONLEY when he was a fugitive from law enforcement after the May 13, 2022 double homicide at the Wintercress Way “popup” location. REED acted as a manager and security for various popup locations. BRYANT acted as C. CONLEY’s partner, provided security to the conspiracy, and assisted C. CONLEY in reestablishing a “popup” location after a double homicide at the Wintercress Way “popup” location. SPELLER acted as security for various “popup” locations and helped establish the Wintercress Way “popup” shop. SPELLER also assisted C. CONLEY when he was a fugitive from law enforcement by renting a vehicle and driving C. CONLEY to Georgia after the May 13, 2022 double homicide at the Wintercress Way “popup” location. ALEXANDER acted as a doorman and security for the C. CONLEY DTO. BLACKWELL acted as a partner to C. CONLEY in 2020, delivered marijuana from C. CONLEY to an unindicted coconspirator, and sent the surveillance videos that captured the May 13, 2022 double homicide at the Wintercress Way “popup” shop to C. CONLEY in June 2022. BLACKWELL assisted C. CONLEY in reestablishing a “popup” shop utilizing multiple Airbnb locations after the May 13, 2022 double homicide at the Wintercress Way “popup” shop. HUNTER worked as security and in sales of controlled substances for C. CONLEY.

5. The co-conspirators established makeshift “popup” marijuana and psilocybin dispensaries at various locations throughout Hampton Roads, including at an apartment on Wintercress Way in Chesapeake, Virginia. The locations often move or “popup” at new locations to avoid detection by law enforcement, would be robbers, and burglaries. The apartment at Wintercress Way was set up as a makeshift dispensary for the sale and distribution of controlled substances, including marijuana and psilocybin. JENKINS distributed and possessed with the intent to distribute marijuana and psilocybin at various times at the Wintercress Way “popup” dispensary.

WJW
PAB
DMS

6. Co-conspirators advertised the dispensaries, including the Wintercress Way “popup” dispensary, through social media platforms to obtain customers, including through the application Telegram. Telegram is a globally accessible freemium, cross-platform, cloud-based instant messaging service. The service also provides optional end-to-end encrypted chats and video calling, VoIP, file sharing and several other features.

7. Co-conspirators were armed throughout the course of the conspiracy to protect the controlled substances and proceeds from the sale of controlled substances at the “popup” dispensary locations. The Wintercress Way “popup” dispensary was equipped with multiple interior-mounted Ring cameras, which were positioned to monitor points of entry and drug sales where cash proceeds were dropped in a secure drop box following transactions.

8. On May 13, 2022, two individuals attempted to rob the Wintercress Way “popup” dispensary. Within the apartment at the time of the attempted robbery were five individuals: JOHNSON, who was working security, C. CONLEY, who is the leader and organizer; JENKINS, who was engaged in the sale and distribution of quantities of marijuana and THC cartridges; and two other individuals. On May 13, 2022 prior to the shootout, JENKINS engaged in marijuana and THC cartridge sales to drug customers in a bedroom of the residence and possessed psilocybin with intent to distribute.

9. At approximately 2:50 p.m. on May 13, 2022, two armed subjects wearing ski masks displayed handguns and forced their way into the Wintercress Way “popup” dispensary. As the two subjects entered the residence, they were met with armed resistance from JOHNSON and C. CONLEY. C. CONLEY was armed with a .45 caliber handgun which he brandished and discharged at the two subjects. JOHNSON was armed with a Glock 9mm semi-automatic pistol, which he brandished and discharged at the two subjects. A hail of gunfire was exchanged with rounds entering neighboring residences. One of the subjects fell dying in the foyer of the residence

and the second subject was repeatedly shot with a large caliber handgun multiple times, immobilizing his arms as he attempted to reach for the door handle to flee the residence. Both subjects were left dying in the foyer blocking the front door of the apartment. JENKINS took a firearm from one of the subjects and brandished and pistol whipped one of the subjects as he lay dying in the foyer. Immediately after the gun battle, JOHNSON, C. CONLEY and JENKINS packed into large duffle bags the controlled substances, drug proceeds, and firearms, and fled the apartment through a window in a room at the back of the residence.

10. C. CONLEY fled from law enforcement until he was apprehended on November 8, 2022.

11. Over the next several months, law enforcement executed a series of search warrants at residences associated with co-conspirators. On May 26, 2022, law enforcement executed a search warrant at a residence in Chesapeake associated with JENKINS and recovered a pair of sweatpants consistent with the clothing JENKINS wore during the Wintercress shootout. On July 27, 2022, law enforcement executed a search warrant on JENKINS's vehicle and recovered a pair of boxers consistent with the boxers JENKINS wore during the Wintercress shootout. The same day, JENKINS was taken into custody.

12. As described herein, on or about May 13, 2022, in the City of Chesapeake JENKINS, did knowingly use, carry, and brandish a firearm during and in relation to, and possess a firearm in furtherance of, a drug trafficking crime for which the defendant may be prosecuted in a court of the United States, namely: possession with the intent to distribute psilocybin, in violation of Title 21, United States Code, Sections 841(a)(1) and (b)(1)(C) and Title 18, United States Code, Section 2, as set forth in Count Three of the Superseding Indictment.

13. The parties agree that the quantities of controlled substances involved in the conspiracy attributable to the defendant as a result of his own conduct and the conduct of other

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MUN
PMS


conspirators reasonably foreseeable to the defendant are at least 100 kilograms of marijuana and a mixture and substance containing a detectable amount of psilocybin. Marijuana is a Schedule I controlled substance. Psilocybin is a Schedule I controlled substance.

14. Chesapeake is located within the Eastern District of Virginia.

15. The acts taken by the defendant, DAVIAN MARCELIS JENKINS, in furtherance of the offenses charged in this case, including the acts described above, were done willfully and knowingly with the specific intent to violate the law. The defendant acknowledges that the foregoing statement of facts is a partial summary of the case and does not describe all of the defendant's conduct relating to the offenses charged in this case, nor does it identify all of the persons with whom the defendant may have engaged in illegal activities.

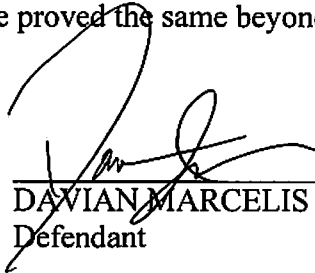
Respectfully submitted,

Jessica D. Aber
United States Attorney

By: 
Megan M. Montoya
Assistant United States Attorney

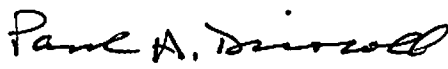
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After consulting with my attorney and pursuant to the plea agreement entered into this day between the defendant, DAVIAN MARCELIS JENKINS, and the United States, I hereby stipulate that the above Statement of Facts is true and accurate, and that had the matter proceeded to trial, the United States would have proved the same beyond a reasonable doubt.



DAVIAN MARCELIS JENKINS
Defendant

I am counsel for DAVIAN MARCELIS JENKINS. I have carefully reviewed the above Statement of Facts with him. To my knowledge, his decision to stipulate to these facts is an informed and voluntary one.



Paul Driscoll
Attorney for DAVIAN MARCELIS JENKINS

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DPT